

MAR-3-2006 03:58P FROM:Law Offices 513-770-0267

TO:4217902

P:1/4

LAW OFFICES

Crabbe, Brown & James LLP

500 SOUTH FRONT STREET
SUITE 1200
COLUMBUS, OHIO 43215

TELEPHONE 614 228.5511
FAX 614 229.4559

Email: MColeman@cjbjlawyers.com

www.CBJLawyers.com

WRITERS DIRECT DIAL NUMBER

229.4522

February 27, 2006

J. ROTH CRABBE (1906-1989)
CHARLES L. BROWN (1927-2004)

VINCENT J. LODICO
STEVEN E. AYERS
JULIE M. HROWN
LARRY H. JAMES
JOHN P. KENNEDY
BRIAN F. HURLEY
RICHARD E. WETZEL, JR.
ELIN M. ALCAIDE
JOHN C. ALBERT
GEORGE R. MCCUE, III
MICHAEL R. HENRY
ROBERT C. DUCHESNEAU
STEVEN A. DAVIS
MICHAEL T. SHANNON
ROBERT J. GEHRING
CHRISTINA L. CORLE
DANIEL T. HURLEY
LAURA MCGREGOR COMEK

BETH G. WAYNE
STEVEN F. MILLER
PHILIP A. TEMPLETON
AMANDA C. BAKER
MATTHEW J. PLENNY
JUDITH L. HOGAN
STEPHEN D. BROWN
EILEEN R. BOWER

- Also Admitted in Indiana
- Also Admitted in Kentucky
- Also Admitted in Michigan & Georgia
- Also Admitted in California & Louisiana

OF COUNSEL
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BRIAN R. MCGRAW

GOLDMAN & DRAUNSTEIN LLP
William A. Goldman
Michael Haimson

KOPECH & O'GRADY, LLC
David A. Kopech
Michael P. O'Grady

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30 GARFIELD PLACE, STE. 740
CINCINNATI, OHIO 45202
TELEPHONE 513.784.1250
FAX 513.784.1250

CLEVELAND OFFICE
1280 W. THIRD STREET
CLEVELAND, OHIO 44113
TELEPHONE 216.514.2516

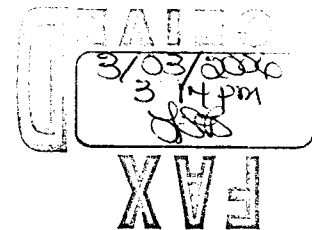
LANCASTER OFFICE
111 S. FRIDAY STREET, STE. 209
LANCASTER, OHIO 43130
TELEPHONE 740.689.1743
FAX 740.689.1746

URBANA OFFICE
118 SOUTH STREET
URBANA, OHIO 43078
TELEPHONE 937.652.4000

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Mason, OH 45040

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Mason, OH 45040

Donald E. Hardin, Esq.
Kimberly Rutowski, Esq.
Hardin, Lefton, Lazarus & Marks, LLC
915 Cincinnati Club Building
30 Garfield Place
Cincinnati, OH 45202



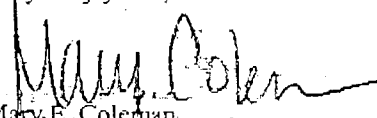
Re: Roger D. Owensby, Jr. vs. City of Cincinnati, et al.
Our File No. 11128-32089

Counselors.

Enclosed please find a copy of the subpoenas to Hamilton County Child Support Enforcement and the Department of the Army in this matter.

If you have any questions, please feel free to contact the undersigned.

Very truly yours,


Mary E. Coleman
Paralegal

Encl.

cc: Richard Ganulin
Sonya Walker
Margaret Huncke
Brian Hurley
Robert Gehring

076025

MAR-3-2006 03:59P FROM:Law Offices 513-770-0267

TO:4217902

P:4/4

LAW OFFICES

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WRITERS DIRECT DIAL NUMBER

229.4567

February 27, 2006

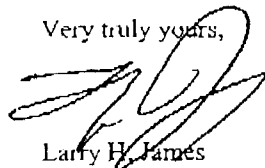
FROTH CRABBE (1906-1989)
CHARLES E. BROWN (1927-2004)VINCENT J. LUDICO
STEVEN B. AYERS
JEFFREY M. BROWN
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EILEEN K. HOWER*Also Admitted in Indiana
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ANDY DOUGLAS
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BRIAN R. MCGRAWGOLDMAN & BRAUNSTEIN, LLP
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111 S. BROAD STREET, STE. 209
LANCASTER, OHIO 43130
TELEPHONE 740.689.1743
FAX 740.689.1746URBANA OFFICE
118 SCOTO STREET
URBANA, OHIO 43078
TELEPHONE 937.652.4000Hamilton County Job & Family Services
Child Support Services
222 East Central Parkway
Cincinnati, Ohio 45202-1225Re: *The Estate of Roger Owensby, Jr. v. City of Cincinnati, et al.*
U.S.D.C., Southern Ohio — Case No. 1:01-CV-00769
Our File No. 11128-32089

Dear Sir or Madam:

Enclosed herewith please find a subpoena relative to the above-captioned matter scheduling a records deposition regarding Roger D. Owensby, Jr. on March 15, 2006, at 10 a.m. at our Cincinnati Office, located at 30 Garfield Place, Suite 740, Cincinnati, Ohio 45202. The purpose of this subpoena is to obtain a complete copy of any and all documents, including court orders, wage withholding and payment history of child support payments made on behalf of Myiesha L. Todd-Owensby (Date of Birth 8/20/91) by Roger D. Owensby, Jr., (574-76-9267, Date of Birth 3/27/71). Please see that I am provided all records that you maintain with respect to this individual at your earliest convenience.

To avoid appearing in person at our offices, you may forward the requested documents to my attention prior to the deposition date. Once the documentation is received, the deposition will be cancelled, and your appearance is no longer necessary. If you have any questions, please contact me at the direct dial phone number listed above. Thank you in advance for your anticipated cooperation in this matter.

Very truly yours,



Larry H. James

LHJ/jh

Encl.

cc: [unclear]

3/03/2006
3:41 pm
JLB

MAR-3-2006 04:01P FROM:Law Offices 513-770-0267

TO:4217902

P:1/3

*AO88 (Rev. 1/94) Subpoena in a Civil Case

Issued by the
UNITED STATES DISTRICT COURT
 SOUTHERN DISTRICT OF OHIO

THE ESTATE OF ROGER OWENSBY, JR.
 V.

SUBPOENA IN A CIVIL CASE

CITY OF CINCINNATI, ET AL

Case Number: 1-01-CV-00769

TO: HAMILTON CO JOB & FAMILY SERVICES
 CHILD SUPPORT SERVICES
 122 EAST CENTRAL PARKWAY
 CINCINNATI, OH 45202-1225

- ☐ YOU ARE COMMANDED to appear in the United States District court at the place, date, and time specified below to testify in the above case.

PLACE OF TESTIMONY

COURTROOM

DATE AND TIME

- ☐ YOU ARE COMMANDED to appear at the place, date, and time specified below to testify at the taking of a deposition in the above case.

PLACE OF DEPOSITION

DATE AND TIME

- ☒ YOU ARE COMMANDED to produce and permit inspection and copying of the following documents or objects at the place, date, and time specified below (list documents or objects):

ANY DOCUMENTS, INCLUDING COURT ORDERS, WAGE WITHHOLDING AND PAYMENT HISTORY OF CHILD SUPPORT PAYMENTS MADE ON BEHALF OF MYIESHA L. TODD-OWENSBY (DOB 8/20/91) BY ROGER D. OWENSBY, JR. (574-76-9267, DOB 3/27/71)

PLACE:

CRABBE BROWN & JAMES, 30 GARFIELD PLACE, STE #740, CINCINNATI OH 45202

DATE AND TIME:

MARCH 15, 2006 - 10:00 A M

- ☐ YOU ARE COMMANDED to permit inspection of the following premises at the date and time specified below.

PREMISES

DATE AND TIME

Any organization not a party to this suit that is subpoenaed for the taking of a deposition shall designate one or more officers, directors, or managing agents, or other persons who consent to testify on its behalf, and may set forth, for each person designated, the matters on which the person will testify. Federal Rules of Civil Procedure, 30(b)(6).

ISSUING OFFICER'S SIGNATURE AND TITLE (INDICATE IF ATTORNEY FOR PLAINTIFF OR DEFENDANT)

DATE

FEBRUARY 24, 2006

ISSUING OFFICER'S NAME, ADDRESS AND PHONE NUMBER

LARRY H. JAMES (0021773), CRABBE, BROWN & JAMES, 500 S. FRONT ST. #1200, COLUMBUS, OH 43215

(See Rule 45, Federal Rules of Civil Procedure, Parts C & D on next page)

* If action is pending in district other than district of issuance, state district under case number

MAR-3-2006 04:01P FROM:Law Offices 513-770-0267

TO:4217902

P:2/3

AO88 (Rev. 1/94) Subpoena in a Civil Case

PROOF OF SERVICE

DATE

PLACE

SERVED

SERVED ON (PRINT NAME)

MANNER OF SERVICE

SERVED BY (PRINT NAME)

TITLE

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Proof of Service is true and correct.

Executed on

DATE

SIGNATURE OF SERVER

ADDRESS OF SERVER

Rule 45, Federal Rules of Civil Procedure, Parts C & D:

(c) PROTECTION OF PERSONS SUBJECT TO SUBPOENAS.

(1) A party or an attorney responsible for the issuance and service of a subpoena shall take reasonable steps to avoid imposing undue burden or expense on a person subject to that subpoena. The court on behalf of which the subpoena was issued shall enforce this duty and impose upon the party or attorney in breach of this duty an appropriate sanction which may include, but is not limited to, lost earnings and reasonable attorney's fee.

(2) (A) A person commanded to produce and permit inspection and copying of designated books, papers, documents or tangible things, or inspection of premises need not appear in person at the place of production or inspection unless commanded to appear for deposition, hearing or trial.

(B) Subject to paragraph (d) (2) of this rule, a person commanded to produce and permit inspection and copying may, within 14 days after service of subpoena or before the time specified for compliance if such time is less than 14 days after service, serve upon the party or attorney designated in the subpoena written objection to inspection or copying of any or all of the designated materials or of the premises. If objection is made, the party serving the subpoena shall not be entitled to inspect and copy materials or inspect the premises except pursuant to an order of the court by which the subpoena was issued. If objection has been made, the party serving the subpoena may, upon notice to the person commanded to produce, move at any time for an order to compel the production. Such an order to compel production shall protect any person who is not a party or an officer of a party from significant expense resulting from the inspection and copying commanded.

(3) (A) On timely motion, the court by which a subpoena was issued shall quash or modify the subpoena if it

- (i) fails to allow reasonable time for compliance,
- (ii) requires a person who is not a party or an officer of a party to travel to a place more than 100 miles from the place where that person resides, is employed or regularly transacts business in person, except that, subject to the provisions of clause (c) (3) (B) (iii) of this rule, such a person may in order to attend

trial be commanded to travel from any such place within the state in which the trial is held; or

- (iii) requires disclosure of privileged or other protected matter and no exception or waiver applies; or
- (iv) subjects a person to undue burden.

(B) If a subpoena

- (i) requires disclosure of a trade secret or other confidential research, development, or commercial information; or
- (ii) requires disclosure of an unretained expert's opinion or information not describing specific events or occurrences in dispute and resulting from the expert's study made not at the request of any party; or
- (iii) requires a person who is not a party or an officer of a party to incur substantial expense to travel more than 100 miles to attend trial, the court may, to protect a person subject to or affected by the subpoena, quash or modify the subpoena, or, if the party in whose behalf the subpoena is issued shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship and assures that the person to whom the subpoena is addressed will be reasonably compensated, the court may order appearance or production only upon specified conditions.

(d) DUTIES IN RESPONDING TO SUBPOENA.

(1) A person responding to a subpoena to produce documents shall produce them as they are kept in the usual course of business or shall organize and label them to correspond with the categories in the demand.

(2) When information subject to a subpoena is withheld on a claim that it is privileged or subject to protection as trial preparation materials, the claim shall be made expressly and shall be supported by a description of the nature of the documents, communications, or things not produced that is sufficient to enable the demanding party to contest the claim.

MAR-3-2006 04:02P FROM:Law Offices 513-770-0267

TO:4217902

P:3/3

LAW OFFICES

Crabbe, Brown & James LLP500 SOUTH FRONT STREET
SUITE 1200
COLUMBUS, OHIO 43215TELEPHONE 614.228.5511
FAX 614.229.4559Email: LJames@chjlawyers.comwww.CBILawyers.com

WRITERS DIRECT DIAL NUMBER

229.4567

February 27, 2006

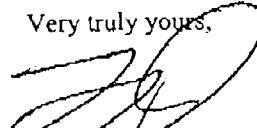
J. RUTH CRABBE (1906-1989)
CHARLES E. DROWN (1927-2004)VINCENT J. LODICO
STEVEN B. AYERS
JEFFREY M. BROWN
LARRY H. JAMES
JOHN F. KENNEDY
BRIAN F. HURLEY
RICHARD D. WETZEL, JR.
TIMOTHY A. CALDI
JOHN C. ALBERT
GEORGE R. MCCLUTCH, III
MICHAEL R. HENRY
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MATTHEW R. PLANEY
JEFFREY D. HOSNER
STEPHEN J. BROWN
ETHEL R. BOWER* Also Admitted in Indiana
* Also Admitted in Kentucky
* Also Admitted in Michigan & Georgia
* Also Admitted in California & LouisianaOF COUNSEL
ANDY DOUGLAS
MARK E. KERNIS
BRIAN R. MCGRAWGOLDMAN & BRAUNSTEIN, LLP
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Michael BraunsteinKOPECH & O'GRADY, LLC
David A. Kopech
Michael P. O'GradyCINCINNATI OFFICE
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111 S. BROAD STREET, STE. 209
LANCASTER, OHIO 43130
TELEPHONE 740.689.1743
FAX 740.689.1746URBANA OFFICE
118 SCOTO STREET
URBANA, OHIO 43078
TELEPHONE 937.657.4000Department of the Army Freedom of
Information and Privacy Office
7701 Telegraph Road, Suite 144
Alexandria, Virginia 22315-3905Re: *The Estate of Roger Owensby, Jr. v. City of Cincinnati, et al.*
U.S.D.C., Southern Ohio — Case No. 1:01-CV-00769
Our File No. 11128-32089

Dear Sir or Madam:

Enclosed herewith please find a subpoena relative to the above-captioned matter scheduling a records deposition regarding Roger D. Owensby, Jr. on March 15, 2006, at 10 a.m. at our Cincinnati Office, located at 30 Garfield Place, Suite 740, Cincinnati, Ohio 45202. The purpose of this subpoena is to obtain a complete copy of any and all documents, including service by Roger D. Owensby, Jr., (574-76-9267, Date of Birth 3/27/71). Please see that I am provided all records that you maintain with respect to this individual at your earliest convenience.

To avoid appearing in person at our offices, you may forward the requested documents to my attention prior to the deposition date. Once the documentation is received, the deposition will be cancelled, and your appearance is no longer necessary. If you have any questions, please contact me at the direct dial phone number listed above. Thank you in advance for your anticipated cooperation in this matter.

Very truly yours,


Larry H. James
LHJ/jh
Encl.
279928

MAR-3-2006 03:59P FROM:Law Offices 513-770-0267

TO: 4217902

P:2/4

*A-088 (Rev. 1/94) Subpoena in a Civil Case

Issued by the
UNITED STATES DISTRICT COURT
 SOUTHERN DISTRICT OF OHIO

THE ESTATE OF ROGER OWENSBY, JR.
 V.

SUBPOENA IN A CIVIL CASE

CITY OF CINCINNATI, ET AL.

Case Number:¹ 1:01 CV 00769

TO: DEPT. OF THE ARMY FREEDOM OF INFORMATION &
 PRIVACY OFFICE
 7701 TELEGRAPH ROAD - STE #144
 ALEXANDRIA, VA 22315-3905

- ☐ YOU ARE COMMANDED to appear in the United States District court at the place, date, and time specified below to testify in the above case.

PLACE OF TESTIMONY	COURTROOM
	DATE AND TIME

- ☐ YOU ARE COMMANDED to appear at the place, date, and time specified below to testify at the taking of a deposition in the above case.

PLACE OF DEPOSITION	DATE AND TIME
---------------------	---------------

- ☒ YOU ARE COMMANDED to produce and permit inspection and copying of the following documents or objects at the place, date, and time specified below (list documents or objects):


ANY AND ALL DOCUMENTS RELATING TO SERVICE BY ROGER D. OWENSBY, JR. (574 76 9267, DOB 3/27/71)

PLACE	DATE AND TIME
CRABBE BROWN & JAMES, 30 GARFIELD PLACE, STE #740, CINCINNATI OH 45202	MARCH 15, 2006 - 10:00 A.M.

- ☐ YOU ARE COMMANDED to permit inspection of the following premises at the date and time specified below.

PREMISES	DATE AND TIME
----------	---------------

Any organization not a party to this suit that is subpoenaed for the taking of a deposition shall designate one or more officers, directors, or managing agents, or other persons who consent to testify on its behalf, and may set forth, for each person designated, the matters on which the person will testify. Federal Rules of Civil Procedure, 30(b)(6).

ISSUING OFFICER'S SIGNATURE AND TITLE (INDICATE IF ATTORNEY FOR PLAINTIFF OR DEFENDANT)	DATE
	FEBRUARY 24, 2006
ISSUING OFFICER'S NAME, ADDRESS AND PHONE NUMBER	
LARRY H. JAMES (0021773), CRABBE, BROWN & JAMES, 500 S. FRONT ST. #1200, COLUMBUS, OH 43215	

(See Rule 45, Federal Rules of Civil Procedure, Parts C & D on next page)

¹ If action is pending in district other than district of issuance, state district under case number.

MAR-3-2006 03:59P FROM:Law Offices 513-770-0267

TO: 4217902

P:3/4

AO88 (Rev. 1-94) Subpoena in a Civil Case

PROOF OF SERVICE

DATE

PLACE

SERVED

SERVED ON (PRINT NAME)

MANNER OF SERVICE

SERVED BY (PRINT NAME)

TITLE

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Proof of Service is true and correct.

Executed on

DATE

SIGNATURE OF SERVER

ADDRESS OF SERVER

Rule 45, Federal Rules of Civil Procedure, Parts C' & D:

(c) PROTECTION OF PERSONS SUBJECT TO SUBPOENAS.

(1) A party or an attorney responsible for the issuance and service of a subpoena shall take reasonable steps to avoid imposing undue burden or expense on a person subject to that subpoena. The court on behalf of which the subpoena was issued shall enforce this duty and impose upon the party or attorney in breach of this duty an appropriate sanction which may include, but is not limited to, lost earnings and reasonable attorney's fee.

(2) (A) A person commanded to produce and permit inspection and copying of designated books, papers, documents or tangible things, or inspection of premises need not appear in person at the place of production or inspection unless commanded to appear for deposition, hearing or trial.

(B) Subject to paragraph (d) (2) of this rule, a person commanded to produce and permit inspection and copying may, within 14 days after service of subpoena or before the time specified for compliance if such time is less than 14 days after service, serve upon the party or attorney designated in the subpoena written objection to inspection to copying of any or all of the designated materials or of the premises. If objection is made, the party serving the subpoena shall not be entitled to inspect and copy materials or inspect the premises except pursuant to an order of the court by which the subpoena was issued. If objection has been made, the party serving the subpoena may, upon notice to the person commanded to produce, move at any time for an order to compel the production. Such an order to compel production shall protect any person who is not a party or an officer of a party from significant expense resulting from the inspection and copying commanded.

(3) (A) On timely motion, the court by which a subpoena was issued shall quash or modify the subpoena if it

- (i) fails to allow reasonable time for compliance;
- (ii) requires a person who is not a party or an officer of a party to travel to a place more than 100 miles from the place where that person resides, is employed or regularly transacts business in person, except that, subject to the provisions of clause (c) (3) (B) (iii) of this rule, such a person may in order to attend

trial be commanded to travel from any such place within the state in which the trial is held; or

- (iii) requires disclosure of privileged or other protected matter and no exception or waiver applies; or
- (iv) subjects a person to undue burden.

(D) If a subpoena

- (i) requires disclosure of a trade secret or other confidential research, development, or commercial information; or
- (ii) requires disclosure of an unretained expert's opinion or information not describing specific events or occurrences in dispute and resulting from the expert's study made not at the request of any party; or
- (iii) requires a person who is not a party or an officer of a party to incur substantial expense to travel more than 100 miles to attend trial, the court may, to protect a person subject to or affected by the subpoena, quash or modify the subpoena; or, if the party in whose behalf the subpoena is issued shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship and assures that the person to whom the subpoena is addressed will be reasonably compensated, the court may order appearance or production only upon specified conditions.

(d) DUTIES IN RESPONDING TO SUBPOENA.

(1) A person responding to a subpoena to produce documents shall produce them as they are kept in the usual course of business or shall organize and label them to correspond with the categories in the demand.

(2) When information subject to a subpoena is withheld on a claim that it is privileged or subject to protection as trial preparation materials, the claim shall be made expressly and shall be supported by a description of the nature of the documents, communications, or things not produced that is sufficient to enable the demanding party to contest the claim.